HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.29323 of 1998

Dated 14th Day of March, 2007

Between:

Palle Rajaiah and another .. Petitioners

And

The Mandal Revenue Officer,
Siddipet, Medak District
and three others ..
Respondents

O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the respondents in trying to interfere with the petitioners' possession and enjoyment of the lands of an extent of 110 square yards (Plot Nos.5 and 6) and 47.66 square yards (Plot No.8) in S.No.1823/2 situated in Siddipet Village, as arbitrary and illegal.

The brief facts of the case are that the petitioners purchased 110 square yards of land in S.No.1823/2 situated in Siddipet village from one Komaravelli Lingam Gupta under a registered sale deed dated 17.11.1994 and also purchased 47.66 square yards of land in the same survey number situated at Siddipet from one Lingam Gupta under another registered sale deed dated 5.7.1997 and since then they have been in possession and enjoyment of the lands, wherein they constructed mulgies. Their grievance is that the respondents, without issuing any notice, are trying to interfere with their possession and enjoyment over the lands in question.

A detailed counter affidavit is filed wherein it is stated that though the petitioners are the owners of an extent of 110 square yards, they encroached into another 47.66 square yards of government land.

Having heard the learned counsel for both the parties and perused the material placed on record, this Court deems it appropriate to direct the respondents to evict the petitioners provided the petitioners are in occupation of the land belonging to the Government, but the same can be done only after issuing notice to the petitioners to

put forth their versions.

With the above direction, the writ petition is disposed of. No costs.

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14.03.2007

bcj